

## REMARKS

As a preliminary matter, Applicants appreciate the indication that claims 13, 99, 101 are allowable.

The amendment to include the feature that a "receptacle and cap not extending past an exposed outer surface of the vault" has been objected to under 35 U.S.C. 132(a) as allegedly introducing new matter. Applicants respectfully traverse. The feature is supported at least on page 17 of the specification and in Figs. 1, 2 and 22. However, to expedite prosecution of the application, Applicants have amended the claims to delete this feature.

New claims 102-110 are alleged to be directed to an independent invention. Applicants respectfully disagree and traverse. However, to expedite prosecution of the application, Applicants have cancelled claims 102-110 herewith.

The specification is objected to under 37 C.F.R. 1.75(d) and MPEP 608.01(o) as allegedly not supporting the claimed feature of the "receptacle and cap not extending past an exposed outer surface of the vault". As mentioned above, Applicants disagree and have cited support herewith and in the previous response. However, to expedite prosecution of the application, Applicants have deleted this feature from the claims.

The drawings are objected to under 37 C.F.R. 1.83(a) as allegedly not showing the claimed feature of the receptacle and cap not extending past an exposed outer surface of the vault as specified in the claims. As discussed above, Applicants respectfully traverse. The claimed feature is shown in at least claims 1, 2 and 22. However, to expedite prosecution of the application, this feature has been deleted from the claims.

Claims 1-3, 5, 6, 16, 87-92 and 100 stand rejected under 35 U.S.C. 102(b) as being unpatentable over Nunes (U.S. Patent No. 4,328,606) in view of Martin (U.S. Patent No. 2,075,859). As a preliminary matter, Applicants assume that this is a 35 U.S.C. 103(a) rejection, not 102(b), since two references are being combined to make the rejection. Applicants respectfully traverse the rejection, however to expedite prosecution, claim 1 has been amended to include the allowable feature of claim 101

and to delete the objected to features, and claim 87 has been amended to include the allowable feature of claim 99. Therefore, Applicants respectfully request that the rejection to claims 1 and 87, and the remaining claims, which all depend from either claim 1 or 87, be withdrawn.

Claims 7-9 and 93-95 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nunes, as modified by Martin and further in view of Semon (U.S. Patent No. 4,697,316). Applicants respectfully traverse.

Claims 7-9 depend from claim 1 as amended, and claims 93-95 depend from claim 87 as amended, and therefore include all of the features of the claims as amended, plus additional features. Semon also does not disclose or suggest either the "means for maintaining a fixed position within the material of the vault" of claim 1 as amended or the "groove for maintaining the position of the record receptacle within the material of the vault" of claim 87 as amended. Therefore, for at least the reason discussed above, Applicants respectfully request that this rejection be withdrawn.

Claims 10-12 and 96-98 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nunes in view of Martin and further in view of Mattis (U.S. Patent No. 6,463,703). Applicants respectfully traverse.

Claims 10-12 depend from claim 1 as amended, and claims 96-98 depend from claim 87 as amended, and therefore include all of the features of the claims from which they depend, plus additional features. Mattis also does not disclose or suggest either the "means for maintaining a fixed position within the material of the vault" of claim 1 as amended or the "groove for maintaining the position of the record receptacle within the material of the vault" of claim 87 as amended. Therefore, for at least the reason discussed above, Applicants respectfully request that the rejection to these claims be withdrawn.

For all of the above reasons, Applicants respectfully request reconsideration and allowance of the present application. The Examiner is invited to contact the undersigned attorney at the below number if there are any outstanding issues that could be resolved through a telephone conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent J. Gnoffo", written over a horizontal line.

Vincent J. Gnoffo  
Registration No. 44,714  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200